

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

FILED
CLERK'S OFFICE

JUL 31 P 2:28

Bienvenido I. Lugo-Marchant

Plaintiff,

v.

Peter Tsickritzis, Kevin Kingston,
and United Liquors Limited et al.,
Defendant

Civil Action No. 05 11317 NMG


UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

ANSWERS TO INTERROGATORIES

The following answers are to the best of the Plaintiff abilities, knowledge, record and recollection under the pains of perjury and according his best intention. There are some attachments with self explanatory information in order to provide the Defendants more information.

PRODUCTION OF DOCUMENTS

Plaintiff will send the documents to the Defendants as soon as possible and if some new documents are produced will let Defendants know. Plaintiff states that all his documents available at this time will be sent today or tomorrow in a separate envelope

Bienvenido I. Lugo-Marchant


PROSE, in forma pauperis

July 27-2006

INTERROGATORIES

INTERROGATORY NO. 1

Please state Plaintiff's name, address, date of birth, place of birth, date of arrival in the United States, marital status, (including spouse's name and date of marriage if applicable), race, religion and social security number.

1. Bienvenido I. Lugo-Marchant

19 Grove Street Brockton, MA 02301

JAN 27-1969 DOMINICAN REPUBLIC - Entered USA (PR) on or about 1973

Single

Several races by grandparents: 25% White [unknown if at that time Puerto Rico was part of Spain or US, or if the Jones Act was in effect]

25% Native American/White [unknown if at that time DR was US Protectorate],

25% Black-Native; British West Indies,

25% other Europeans/Black; French West Indies

Jehovah's Witnesses

582-53-7509

INTERROGATORY NO. 2

Identify each educational institution Plaintiff attended, and state the dates of attendance, whether Plaintiff received a degree or certificate therefrom, and the nature and the date of the degree or certificate, if applicable.

2. Puerto Rico Public Schools-Department of Education; kindergarden-12th
Technological Institute of San Juan; between 1986-88, basic computer course
Interamerican University, San Juan; between 1986-88, math courses
Instituto de Cultura Puertorriqueña, between 1986-89, arts
Instituto Nacional de Música, between 1986-88; music
University of Puerto Rico ("UPR"), 1997 [?] music B.A.

PUERTO RICO

Some of these dates are approximated as this interrogatory seeks information that is overly burdensome and impossible to calculate and covering a long period of time.

University of Massachusetts, 2001; language and culture	BOSTON
Berklee School of Music, 2002; music songwriting	BOSTON
Northeastern University, 2006; legal training	BOSTON

INTERROGATORY NO. 3

Identify each and every employer, other than the United Liquors, by whom Plaintiff has been employed from 1985 to date, and for each such employer, state: the date(s) of commencement and termination of each such employment; the duties performed by Plaintiff for each employer; Plaintiff's rate(s) of pay during each of the above positions, including identification of any raise(s) in pay in connection with any of the positions, with the dates thereof; a summary description of any employee benefits Plaintiff received in connection with each employment; and the reason for the termination or conclusion of each employment, including, but not limited to, a statement of whether the termination of such employment was voluntary or involuntary.

3. Pizza Hut, PR [on or about 1990] duties typical of fast food industry, voluntary ending
 * Water Sewage Authority PR, [1987-88] duties typical of office, voluntary ending
 El Guaynabeño Café, PR [until 1998] duties typical of food industry, voluntary ending
 Alfombras Pizarro, PR [1994-97] duties typical of interior design, voluntary ending
 Self employed, PR [1992-97], performing music at social places, voluntary ending
 *UPR, Bookstore [between 1993-95] duties typical of bookstore
 *UPR, Law School [between 1990-93] duties typical of librarian
 UPR, Disabled Students Library, [1993-97] duties typical of librarian, voluntary work

Some of these dates [*] are approximated and cover work-study experiences as this interrogatory seeks information that is overly burdensome, too broad and impossible to calculate and covering a long period of time. Plaintiff has no record of them except mental vague recollection. Salary is not available as the dates are too old or records are not found anywhere, though diligently sought.

NJ K-Mart, [1990], duties typical of warehouse. Salary unknown

MA, Brockton Public Schools [1999-2001], substitute teaching duties, \$75 daily[?]
 ULL [1999-2003] driver helper until demoted to warehouse work by racist reasons and denied work.
 Horizon Beverages ["HB", 2004-2005] driver helper until having work-related accident and given light duty accommodation, then not called anymore for work once Defendants divulged complaints with HB as post-employment retaliation. *Salary about \$15.00 though not corroborated*

INTERROGATORY NO. 5

Identify each and every person who Plaintiff or a representative thereof has contacted or interviewed in connection with this matter, but whom Plaintiff does not intend to call as a witness at a trial of this matter.

5. Lawrence Mehl, Esq., Robert Berger, Esq., David Lindley, Esq., Stephen Ault, Esq., Jackson Lewis, Albert Grady, Esq., Smyth Law Office, Siskind and Siskind Law Office, [see attachment on details, Plaintiff will let Defendants know if new attorneys are consulted]. *There are some former coworkers though not seen since termination for unlawful and racist pretenses.*

JOHN LEE DIAZ
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smthlaw.brockton@worldnet.att.net

ILLINE VOGTLIN

SMYTH LAW OFFICES, P.C.

*Please call to Reschedule
Since I am unable to
Meet you.
Thank-
6.1.972*

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Steph Ball 222 8500



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5252-3224 (L19) TIL

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kevin.kelly@libertymutual.com

Member of Liberty Mutual Group

*Bernardo Ligo
Merchant
Stopped
up for
an hour
Appointant*

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INTERROGATORY NO. 6

Identify each expert witness whom Plaintiff intends to call at a trial of this matter and, for each such expert witness, please provide the following information: his or her name, residential address and business address, the subject matter on which the expert is expected to testify, the substance of the facts and opinions to which the expert is expected to testify, and a summary of the grounds for each such opinion.

6. No experts at this time

INTERROGATORY NO. 7

If at any time from 1995 to date, Plaintiff attended Bible study classes, for any such classes: state the dates of attendance; the name and address of the school or church where the classes are taught; the names of the instructors; and the titles of the classes in which Plaintiff was enrolled.

7. Objection to term "church", some faiths choose how to call their houses of worship/adoration as mosques, synagogues, cathedral, shrine, temple, church; Jehovah's Witnesses call it Kingdom Hall. Learning is Bible based and has the participation of everyone who attends the meetings [see attachment on courses description and time duration]

- a. 1969-1973 Dominican Republic;
- b. 1973-1998 410 Williams Street San Juan PR
- c. 1998-present 444 Plain Street Brockton, MA

Kim Willingham - Secretary
Noe Lucas - President Overseer

(FRONT)

FREE BIBLE COURSES AVAILABLE

PUBLIC MEETING

A Bible-based discourse on a topic of interest

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These meetings last 45 min. to 1 hr

(BACK)

Enjoy a Home Bible Course

In addition to the meetings mentioned on the front side of this handbill, publications are available for use in study of basic Bible teachings. One of these is entitled *What Does God Require of Us?* It may be studied privately or with the help of a qualified Bible teacher. One of Jehovah's Witnesses would be happy to assist you in your study free of charge.

What Does God Require of Us? is a 32-page brochure that shows clearly what God's purpose is for mankind and provides information from the Bible that highlights what we need to do to receive his approval.

To request a copy without obligation, simply fill in the accompanying coupon and mail it to:

Jehovah's Witnesses
25 Columbia Heights
Brooklyn, NY 11201-2483

www.watchtower.org

Name _____

Address _____

City _____ State _____ ZIP Code _____

sf-E 12-93

Printed in Canada

INTERROGATORY NO. 8

Identify each and every individual with knowledge of any facts pertaining to the allegations in Plaintiff's Complaint and give a detailed description of the facts possessed by each such person.

8. Objection, Plaintiff can not read people's mind in how they perceive things or pay attention to Plaintiff's nor their appreciation. Other people were affected by the systematic racial disparate treatment the Defendants have as general practice. Other were threatened with termination, laid off for days, harassment, etc.
Same as Interrogatory #5

INTERROGATORY NO. 9

Describe in complete detail each item of damage, including amounts, for which Plaintiff intends to seek recovery at trial, the manner in which such amount has been calculated, and the specific basis and support for said amount.

9. JVR Book, websites, newspapers, eeoc-mcad reports. Plaintiff had many years of experience working for the Defendants while people of lighter skin color were promoted in a few weeks and Plaintiff demoted for asking the reason.

Plaintiff had worked since 1968 without negative incident but others were favored race being a great factor. Also, Plaintiff gave literature to Defendants with concerns. Most drivers (if not all) have a desirable work and living conditions associated with experience, license, etc.

ROUTE CUSTOMER SERVICE DRIVER



- Have CDL B License with no experience?
- Have the ability To lift 60 lbs consistently?
- Possess excellent communication & customer service skills
- Looking for a great opportunity?

- ✓ Potential yearly earnings \$40k-50k/yr
- ✓ Great Employee programs - Benefits (medical, dental RRSP), uniforms provided, work shoe allowance, incentives, monthly bonuses, etc.

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Fax: 781-937-0408

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Drivers

Expected Salary
\$60,000 to
\$70,000 yearly



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INTERROGATORY NO. 10

State whether Plaintiff made any efforts to seek new employment following his separation of employment with United Liquors or following his separation from any post-United Liquors employer, and if so, state: the name and address of each potential employer, entity or person to whom Plaintiff made application and the date of each such application and the position for which application was made; the name and address of any employment agency, career counselor or other employment recruiter with whom Plaintiff had contact, including the date and the nature of contact; and identify each and every document reflecting or relating to Plaintiff's efforts to seek new employment, including self-employment, and any independent contractor or consulting work.

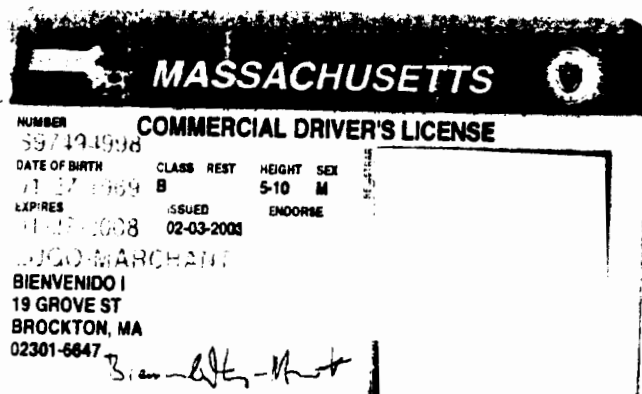
10. George Joseph, [Teamster 653 Business Rep']; Mass Rehab Commission; Placement Office; Job Fairs; Online Search , Newspapers , etc .

INTERROGATORY NO. 11

If Plaintiff has a Commercial Drivers License ("CDL"), state the date of the license; the state which issued the license; and the name and address of any employer for whom Plaintiff has used that CDL in the course of his employment.

11. ULL [Defendants]; Horizon Beverages

80 Stockwell Dr (?)
Avon, MA

**MEDICAL EXAMINER'S CERTIFICATE**

I certify that I have examined
Bienvenido LUGO
(Print Driver's Name)

In accordance with the Federal Motor Carrier Safety Regulations (49 CFR 391.41-391.49) and with knowledge of the driving duties, I find this person is qualified; and, if applicable, only when

☐ wearing corrective lenses
☐ wearing hearing aid
☐ accompanied by a _____ waiver/exemption
☐ driving within an exempt intra-city zone (49CFR 391.62)
☐ accompanied by a Skill Performance Evaluation Certificate (SPE)
☐ qualified by operation of 49 CFR 391.64

The information I have provided regarding the physical examination is true and complete. A complete examination form with any attachment embodies my findings completely and correctly, and is on file in my office.

----- FOLD -----

CHARL A. STUBBS MD (508) 427-3900
Medical Examiner (Print Name and Credentials) (Phone No.)
Charles A. Stubbs MD 06-29-2005
(Signature of Medical Examiner) (Exam Date)
100575 MA
(License/Certificate No.) (Issuing State)
Bienvenido Lugo 597494998 MA
(Signature of Driver) (License No.) (State)
19 Grove St Brockton MA 02301
(Address of Driver)

06-29-2005
(Medical Certificate Expiration Date)

INTERROGATORY NO. 12

State whether Plaintiff has previously instituted litigation or administrative charges (such as claims at the Equal Employment Opportunity Commission or the Massachusetts Commission Against Discrimination) against any other company, state, municipality or any other organization by which he was or had been employed or applied for employment. If the answer is in the affirmative, state the date each suit or administrative action was commenced; the name and address of the agency or other forum in which it was commenced; the substance of each such complaint; the outcome or present status of each matter; and identify each and every document upon which Plaintiff relied in answering or which in any way relates to the information requested in this interrogatory.

12. Objection, shotgun approach, no

This interrogatory is not clear in that there seems to be a contradiction in it.

INTERROGATORY NO. 13

If Plaintiff contends that he was unable to work at any time from June 2003, to date due to an injury or other physical ailment, state the condition which disabled Plaintiff; the period of time he was disabled; and the name and address of any physician who treated him during that period.

13. Objection, oppressive, business cards supplied with their information
Dr. Rina Bloch, New England Medical Center;
Dr. Mohammed Mumtaz, Brockton Neighborhood Health Center
Dr. John Doherty, [as mentioned in the Defendants Disclosure]
Dr. Robert Baritz, Pleasant St Brockton unknown #
Brockton Hospital -Emergency

Rina M. Bloch, MD
Assistant Professor
Department of Physical Medicine and Rehabilitation



Tufts-New England Medical Center



750 Washington Street, Tufts-NEMC #400
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(617) 359-4224 TDD

INTERROGATORY NO. 14

State whether Plaintiff has previously instituted litigation or administrative charges against any entity which was not described in response to Interrogatory No. 12 because it is not an employer. If the answer is in the affirmative, state the date each suit or administrative action was commenced; the name and address of the agency or other forum in which it was commenced; the substance of each such complaint; the outcome or present status of each matter; and identify each and every document upon which Plaintiff relied in answering or which in any way relates to the information requested in this interrogatory.

Objection, this Interrogatory does not give a clear question as to what they mean. Plaintiff considers this wording, phrasing to be confusing and not calculated as to what Defendants really mean. However, Plaintiff believes (as he was communicated a few times) that Defendants divulged secrets as post-employment retaliation to HB. Plaintiff further believes the Defendants have the tendency of sharing information they consider negative or vindictive.

INTERROGATORY NO. 15

Identify each and every physician, psychiatrist, psychologist, social worker or other healthcare provider whom Plaintiff visited, consulted or received treatment from relative to any physical, mental or emotional condition Plaintiff alleges United Liquors caused. For each physician or other healthcare provider identified, state his or her address; any institutions with which he or she is presently associated or affiliated; any institutions with which the person was associated or affiliated while treating Plaintiff; his or her occupation; his or her area of specialization, if any; the date Plaintiff first consulted that person or entity; the condition for which treatment was sought; the diagnosis that was rendered; the nature of the treatment rendered; whether Plaintiff is presently receiving treatment or consultation from such person or entity; and the cost of treatment.

Same as Interrogatory # 13, Plaintiff further state that Defendants cancelled his medical coverage and promised to "fix it" as long as Plaintiff withdraws claim at MCAD.

diagnostic - forgotten

specialization - unknown

nature of treatment - consistent with injury

cost - unknown

at the present not receiving treatment but being careful and conscious

CERTIFICATE OF SERVICE

I certify I served this document to Jackson Lewis on July 27 2006
by first class postage paid.

Bienvenue Filoux-Marchant

A handwritten signature in black ink, appearing to be 'BF' followed by a long horizontal stroke.

Pro se, in forma pauperis